

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

**RLI INSURANCE COMPANY**

Plaintiff

vs.

**FIFTH THIRD BANCORP**

Defendant

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**FIFTH THIRD BANCORP, an Ohio Corporation, and FIFTH THIRD BANK, an Ohio Banking Corporation**

Plaintiff

vs.

**CERTAIN UNDERWRITERS AT LLOYD'S SUBSCRIBING TO POLICY B0509QA048710, B0509QA051310, 81906760, et al.**

Defendants

: Civil Action No. 1:14-cv-802

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Judge: Sandra S. Beckwith

: Magistrate: Stephanie K. Bowman

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: Civil Action No. 1:14cv869

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**FIFTH THIRD'S MOTION FOR ADDITIONAL TIME TO RESPOND  
TO RLI INSURANCE COMPANY'S JOINDER IN CERTAIN UNDERWRITERS'  
MOTION FOR PROTECTIVE ORDER AND IN THE ALTERNATIVE TO STAY AND  
BIFURCATE PLAINTIFFS' "BAD FAITH CLAIM"**

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Now comes Fifth Third and hereby requests an additional one day in which to file its memorandum opposing RLI's motion for a protective order and/or in the alternative to stay and bifurcate. This motion is unopposed by RLI.

RESPECTFULLY SUBMITTED,

/S/ Mark J. Byrne

**MARK J. BYRNE (0029243)**

**KENNETH F. SEIBEL (0025168)**

JACOBS, KLEINMAN, SEIBEL & McNALLY

Cincinnati Club Building

30 Garfield Place

Cincinnati, OH 45202

Phone: (513) 381-6600

Fax: (513) 381-4150

Email: [mbyrne@jksmlaw.com](mailto:mbyrne@jksmlaw.com)

[kseibel@jksmlaw.com](mailto:kseibel@jksmlaw.com)

*Trial Counsel for Defendant Fifth Third Bancorp  
and Plaintiff Fifth Third Bancorp and  
Third Bank*

/S/ Charles E. Turnbull

**CHARLES E. TURNBULL** (Pro Hac Vice)

**LAWRENCE M. SCOTT** (Pro Hac Vice)

**MARC D. KASZUBSKI** (Pro Hac Vice)

O'REILLY RANCILIO P.C.

12900 Hall Road, Suite 350

Sterling Heights, MI 48313

Phone: (586) 726-1000

Fax: (586) 726-1560

Email: [cturnbull@orlaw.com](mailto:cturnbull@orlaw.com)

[lscott@orlaw.com](mailto:lscott@orlaw.com)

[mkaszubski@orlaw.com](mailto:mkaszubski@orlaw.com)

*Co-Counsel for Defendant Fifth Third Bancorp  
and Plaintiff Fifth Third Bancorp and  
Third Bank*

## **MEMORANDUM**

Fifth Third's Memorandum opposing RLI's motion is due April 11, 2016. On Friday, April 8, 2016, counsel for Fifth Third was required to attend to an unexpected health matter for his daughter at a local hospital. Counsel requests until Tuesday, April

12, 2016 in which to file a response. This request is not for purposes of delay. As previously indicated, RLI does not oppose this one day extension.

RESPECTFULLY SUBMITTED,

/S/ Mark J. Byrne

**MARK J. BYRNE (0029243)**

**KENNETH F. SEIBEL (0025168)**

JACOBS, KLEINMAN, SEIBEL & McNALLY

Cincinnati Club Building

30 Garfield Place

Cincinnati, OH 45202

Phone: (513) 381-6600

Fax: (513) 381-4150

Email: mbyrne@jksmlaw.com

kseibel@jksmlaw.com

*Trial Counsel for Defendant Fifth Third Bancorp  
and Plaintiff Fifth Third Bancorp and  
Third Bank*

/S/ Charles E. Turnbull

**CHARLES E. TURNBULL** (Pro Hac Vice)

**LAWRENCE M. SCOTT** (Pro Hac Vice)

**MARC D. KASZUBSKI** (Pro Hac Vice)

O'REILLY RANCILIO P.C.

12900 Hall Road, Suite 350

Sterling Heights, MI 48313

Phone: (586) 726-1000

Fax: (586) 726-1560

Email: cturnbull@orlaw.com

lscott@orlaw.com

mkaszubski@orlaw.com

*Co-Counsel for Defendant Fifth Third Bancorp  
and Plaintiff Fifth Third Bancorp and  
Third Bank*

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 11, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

*Attorneys for Plaintiff RLI Insurance Company:*

Robert W. Hojnoski, Esquire  
Carrie M. Starts, Esquire  
Nathan A. Lennon, Esquire  
Reminger Co., LPA  
525 Vine Street, Suite 1700  
Cincinnati, OH 45202  
Email: rhojnoski@reminger.com  
cstarts@reminger.com  
nlennon@reminger.com

Scott L. Schmookler, Esquire  
Regina A. Ripley, Esquire  
Ji-Yeon Suh, Esquire  
Gordon & Rees, LLP  
One North Franklin, Suite 8800  
Chicago, IL 60606  
Email: sschmookler@gordonrees.com  
rripley@gordonrees.com  
jsuh@gordonrees.com

*Attorneys for Defendant Certain Underwriters at Lloyd's Subscribing  
to Policy Numbers B0509QA048710 and B0509QA051310,  
Axis Insurance Company and Federal Insurance Company:*

David P. Kamp, Esquire  
Brian D. Goldwasser, Esquire  
Jean Geoppinger McCoy, Esquire  
White, Getgey & Meyer Co. LPA  
Fourth and Vine Tower  
One West Fourth Street, Suite 1700  
Cincinnati, OH 45202  
Email: dkamp@wgmlpa.com  
bgoldwasser@wgmlpa.com  
jmccoy@wgmlpa.com

John W. Blancett, Esquire  
Christopher J. Losquadro, Esquire  
Christopher C. Novak, Esquire  
Sedgwick LLP  
Brookfield Place  
225 Liberty Street, 28<sup>th</sup> Floor

New York, NY 10281-1008  
Email: John.blancett@sedgwicklaw.com  
Christopher.Losquadro@sedgwicklaw.com  
Christopher.Novak@sedgwicklaw.com

*Attorneys for Defendant Continental Insurance Company,  
Fidelity and Deposit Insurance Company, St. Paul Mercury:  
Insurance Company:*

Luke J. Busam, Esquire  
Frost Brown Todd LLC  
3300 Great American Tower  
301 E. Fourth Street  
Cincinnati, OH 45202  
Email: lbusam@fbtlaw.com

Julia Blackwell Gelinas, Esquire  
Bryan S. Strawbridge, Esquire  
Frost Brown Todd, LLC  
201 N. Illinois Street, Suite 1900  
P.O. Box 44961  
Indianapolis, IN 46244-0961  
Email: jgelinas@fbtlaw.com  
bstrawbridge@fbtlaw.com

/S/ Mark J. Byrne

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**MARK J. BYRNE (0029243)**  
*Trial Counsel for Defendant Fifth Third Bancorp  
and Plaintiff Fifth Third Bancorp and  
Third Bank*